

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Phillip L Blair
Rhonda S Blair
Debtor(s)

Bankruptcy Case No.: 18-10438-TPA
Per November 13, 2018 Proceeding
Chapter: 13
Docket No.: 36 – 19, 30
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated June 1, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,621.00 as of November, 2018. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: PNC (Claim No. 1) .
- ☒ H. Additional Terms: The secured claim(s) of the following Creditor(s) shall govern as to claim amount, to be paid at the modified Plan terms: Citizens Bank (Claim No. 2).

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: November 20, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Phillip L Blair
 Rhonda S Blair
 Debtors

Case No. 18-10438-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: vson
 Form ID: 149

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 Total Noticed: 42

Date Rcvd: Nov 20, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 22, 2018.

db/jdb
 14826977 +Phillip L Blair, Rhonda S Blair, 518 Bessemer Avenue, Grove City, PA 16127-1832
 14876615 +Barclays Bank Delaware, Po Box 8803, Wilmington, DE 19899-8803
 14826980 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 14826981 +Ccs / First National Bank, 500 East 60th Street North, Sioux Falls, SD 57104-0478
 14826982 +Chase Card, Po Box 15298, Wilmington, DE 19850-5298
 14879794 +Citi, Po Box 6241, Sioux Falls, SD 57117-6241
 14860400 +Citibank, N.A., Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0493
 14826983 +Citizens Bank N.A., 1 Citizens Drive Mailstop ROP15B, Riverside, RI 02915-3026
 14826988 +Citizens Bank Na, 480 Jefferson Boulevard, Warwick, RI 02886-1359
 14887834 +Dsnb Macys, Po Box 8218, Mason, OH 45040-8218
 14875067 +PNC Bank, N.A., P.O. Box 94982, Cleveland, OH 44101-4982
 14865757 +PNC Bank, N.A., Attn: Bankruptcy, 3232 Newmark Drive, Miamisburg, OH 45342-5421
 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue,
 Pittsburgh, PA 15233-1828
 14826991 +Pnc Mortgage, Po Box 8703, Dayton, OH 45401-8703
 14826992 +Sears / Cbna, Po Box 6282, Sioux Falls, SD 57117-6282
 14871363 State Farm Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 14826993 State Farm Bank, F.S.B., Attn Credit Reporting, Bloomington, IL 61702
 14827001 +The Home Depot / Cbna, Po Box 6497, Sioux Falls, SD 57117-6497

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14826978 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 21 2018 03:12:38 Capital One,
 Po Box 30253, Salt Lake City, UT 84130-0253
 14826979 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 21 2018 03:13:02
 Capital One / Dress Barn, Po Box 30258, Salt Lake City, UT 84130-0258
 14826984 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Nov 21 2018 03:07:54
 Comenity Bank / Christopher Bank, Po Box 182789, Columbus, OH 43218-2789
 14826985 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Nov 21 2018 03:07:54
 Comenity Capital Bank / Boscov, Po Box 182120, Columbus, OH 43218-2120
 14826986 +E-mail/PDF: creditonebknofications@resurgent.com Nov 21 2018 03:12:42 Credit One Bank Na,
 Po Box 98875, Las Vegas, NV 89193-8875
 14826987 E-mail/Text: mrdiscen@discover.com Nov 21 2018 03:07:43 Discover Financial Services LLC,
 Po Box 15316, Wilmington, DE 19850
 14830939 E-mail/Text: mrdiscen@discover.com Nov 21 2018 03:07:43 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 14826989 E-mail/Text: bnckohlsnotices@becket-lee.com Nov 21 2018 03:07:46 Kohls / Capital One,
 N56 West 17000 Ridgewood Drive, Menomonee Falls, WI 53051
 14878692 E-mail/PDF: resurgentbknofications@resurgent.com Nov 21 2018 03:13:15
 LVNV Funding, LLC its successors and assigns as, assignee of MHC Receivables, LLC and,
 FNBM, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14878693 E-mail/PDF: resurgentbknofications@resurgent.com Nov 21 2018 03:12:44
 LVNV Funding, LLC its successors and assigns as, assignee of Citibank, N.A.,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14878691 E-mail/Text: bkr@cardworks.com Nov 21 2018 03:07:36 MERRICK BANK,
 Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
 14826990 +E-mail/Text: bkr@cardworks.com Nov 21 2018 03:07:36 Merrick Bank Corporation, Po Box 9201,
 Old Bethpage, NY 11804-9001
 14879619 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Nov 21 2018 03:34:50
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 14827713 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Nov 21 2018 03:12:40
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14876235 E-mail/Text: bnc-quantum@quantum3group.com Nov 21 2018 03:08:00
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
 14876234 E-mail/Text: bnc-quantum@quantum3group.com Nov 21 2018 03:08:01
 Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788,
 Kirkland, WA 98083-0788
 14869321 E-mail/Text: bnc-quantum@quantum3group.com Nov 21 2018 03:08:01
 Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
 14826994 +E-mail/PDF: gecsedirecoverycorp.com Nov 21 2018 03:12:37 Synch / Amazon, Po Box 965015,
 Orlando, FL 32896-5015
 14826995 +E-mail/PDF: gecsedirecoverycorp.com Nov 21 2018 03:12:37 Synch / American Eagle,
 Po Box 965005, Orlando, FL 32896-5005
 14826996 +E-mail/PDF: gecsedirecoverycorp.com Nov 21 2018 03:13:27 Synch / American Eagle Dc,
 Po Box 965005, Orlando, FL 32896-5005
 14826997 +E-mail/PDF: gecsedirecoverycorp.com Nov 21 2018 03:13:28 Synch / JCPenney, Po Box 965007,
 Orlando, FL 32896-5007
 14826998 +E-mail/PDF: gecsedirecoverycorp.com Nov 21 2018 03:12:37 Synch / Lowes, Po Box 956005,
 Orlando, FL 32896-0001
 14826999 +E-mail/PDF: gecsedirecoverycorp.com Nov 21 2018 03:13:28 Synch / Old Navy DC,
 Po Box 965005, Orlando, FL 32896-5005
 14827000 +E-mail/PDF: gecsedirecoverycorp.com Nov 21 2018 03:13:28 Synch / Walmart Dc,
 Po Box 965024, Orlando, FL 32896-5024

TOTAL: 24

District/off: 0315-1

User: vson
Form ID: 149

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Total Noticed: 42

Date Rcvd: Nov 20, 2018

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr PNC BANK, NATIONAL ASSOCIATION
cr PNC Bank, National Association
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr* +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
Pittsburgh, PA 15233-1828

TOTALS: 2, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 22, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 20, 2018 at the address(es) listed below:

Daniel P. Foster on behalf of Joint Debtor Rhonda S Blair dan@mrdebtbuster.com,
clarissa@mrdebtbuster.com; fosterlaw@ecf.inforuptcy.com; anne@ecf.inforuptcy.com
Daniel P. Foster on behalf of Debtor Phillip L Blair dan@mrdebtbuster.com,
clarissa@mrdebtbuster.com; fosterlaw@ecf.inforuptcy.com; anne@ecf.inforuptcy.com
James Warmbrodt on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION bkgroup@kmlawgroup.com
James A. Prostko on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION pawb@fedphe.com,
james.prostko@phelanhallinan.com
Mario J. Hanyon on behalf of Creditor PNC Bank, National Association pawb@fedphe.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpggh.com,
srk@sjwpggh.com; PNGbankruptcy@peoples-gas.com

TOTAL: 8